

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID KLEIN,

Plaintiff,

-against-

FARVA JAFRI, et al.,

Defendants.

24-CV-1649 (AT) (RFT)

25-CV-3135 (AT)

**ORDER**

**ROBYN F. TARNOFSKY, United States Magistrate Judge:**

On March 4, 2024 Plaintiff David Klein brought identical suits in this District and in a federal court in California. (See No. 24-CV-01649 (AT) (RFT) (the “New York Action”) and *Klein v. Jafri*, No. 25-cv-3135 (AT) (the “California Action”).) On July 15, 2024, the Honorable Analisa Torres referred the New York Action to me for general pretrial supervision. (See New York Action, ECF 49.) On April 7, 2025, the California Action was transferred to this District. (See California Action, ECF 71, Order of Transfer.) On April 21, 2025, the California Action was accepted as a related case to the New York Action. Both actions are at an early stage of litigation, with no discovery having been completed or scheduled. On May 1, 2025, I held a telephonic status conference to address whether to consolidate the New York Action and the California Action for all purposes. (See ECF 100.)

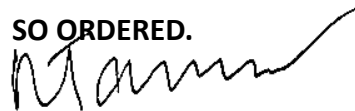
Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, a court may consolidate actions that involve common questions of law and fact. See Fed. R. Civ. P. 42(a). Rule 42(a) should be prudently employed as a “valuable and important tool of judicial administration.” *Devlin v. Transp. Commc’ns Int’l Union*, 175 F.3d 121, 130 (2d Cir. 1999). It is well-settled that “a

district court can consolidate related cases under [Rule 42(a)] sua sponte.” *Id.* Consolidation of the New York Action and the California Action for all purposes is especially appropriate here, because both complaints allege the same causes of action against virtually identical defendants and both seek the same relief. *See Rosi v. Alcaris Therapeutics, Inc.*, No. 19-CV-7118 (LTS) (JLC), 2019 WL 5778445, at \*2 (S.D.N.Y. Nov. 6, 2019).

Accordingly, the New York Action and the California Action are ORDERED to be consolidated for all purposes. The Clerk of the Court is respectfully requested to consolidate these actions under the New York Action, 24-CV-01649 (AT) (RFT).

DATED: May 8, 2025  
New York, NY

**SO ORDERED.**



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**ROBYN F. TARNOFSKY**  
United States Magistrate Judge